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ARRANGEMENTS FOR INTERGOVERNMENTAL MEETINGS

Note by the Executive Secretary

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I. INTRODUCTION

A. Mandate

1. Article 8.2 of the Convention provides that the functions of the secretariat shall be, *inter alia*, "to make arrangements for sessions of the Conference of the Parties and its subsidiary bodies established under the Convention and to provide them with services as required".

2. At its fifth session, the Conference of the Parties (COP), by its decision 2/CP.5, decided that the sixth session of the Conference of the Parties (COP 6) would be held from 13 to 24 November 2000 at The Hague in the Netherlands (FCCC/CP/1999/6/Add.1).

B. Scope of the note

3. Section II of this note contains information on an offer by the Government of France to host the thirteenth sessions of the subsidiary bodies in September 2000, to be preceded by one week of informal consultations. Section III contains information on organizational arrangements for COP 6, and comments on the possible elements of a provisional agenda for that session of the Conference, contained in the annex to this document. Section IV contains proposals on the calendar of meetings for 2004. Section V deals with the date and venue of the seventh session of the Conference (COP 7). The Executive Secretary sought and considered comments from the Bureau before submitting the present note to the Subsidiary Body for Implementation (SBI).

C. Possible action by the Subsidiary Body for Implementation

4. Guidance is invited from the SBI on the matters raised in this note, in particular on:

(a) The possible elements of a provisional agenda for COP 6;

(b) The organization of the work of COP 6, including meetings of the subsidiary bodies, participation by ministers and senior officials and a general debate;

(c) The calendar of meetings of Convention bodies in 2004;

(d) A recommendation to COP 6 on the date and venue of COP 7.

II. THIRTEENTH SESSIONS OF THE SUBSIDIARY BODIES

5. The Government of France has offered to host the thirteenth sessions of the subsidiary bodies and the preceding week of informal consultations and workshops at the Palais des Congrès de Lyon from 4 to 16 September 2000. This offer constitutes a welcome commitment to the ongoing process that will increase political visibility in the run-up to COP 6 in The Hague. The offer was accepted by the Executive Secretary after consulting the President and members of

the COP 5 Bureau. The secretariat has since been in contact with the representatives of the Government of France concerning arrangements for the sessions. A host country agreement will be concluded and formal notification of the arrangements for the session will be issued in due course.

6. In light of the decision to increase the number of sessional periods in 2000, the secretariat has undertaken a review of COP decisions which refer to future sessions of the subsidiary bodies. After consulting the Bureau, the Executive Secretary has determined that the most pragmatic means of numbering the sessions is for the sessions of the subsidiary bodies in November 2000, in conjunction with COP 6, to be regarded as resumed thirteenth sessions.

III. SIXTH SESSION OF THE CONFERENCE OF THE PARTIES

A. Host country agreement

7. The COP, at its fifth session (COP 5), requested the Executive Secretary to conclude a host country agreement with the Government of the Netherlands on arrangements for COP 6 (decision 2/CP.5). Discussions are under way with the host Government and a team from the secretariat has visited the facilities available at the Netherlands Conference Centre in The Hague. Additional information will be conveyed orally to the SBI during its twelfth session.

B. Possible elements of a provisional agenda

8. Rule 9 of the draft rules of procedure of the COP and its subsidiary bodies being applied provides that, "in agreement with the President, the secretariat shall draft the provisional agenda of each session". A list of possible elements of a provisional agenda for COP 6 has been prepared by the secretariat after seeking comments from the Bureau and considering those received, and is contained in the annex to this document. Most of the elements of the provisional agenda for COP 6 are on the agendas of the subsidiary bodies for the current sessions and will also be on the agendas for the thirteenth sessions. This should permit substantive progress to be made in preparing for COP 6.

9. The secretariat has organized the agenda elements in six main groups:

(a) Organizational and procedural matters;
(b) Reports of the subsidiary bodies of the Convention on their work;
(c) Convention implementation issues;
(d) Preparations for the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol;
(e) Administrative and financial matters;
(f) General statements.

10. The elements strongly resemble the agenda of COP 5. However, a new sub-item on "best practices" in policies and measures has been added and the item on capacity-building has been given two sub-items: one pertaining to non-Annex I Parties and one to countries with economies in transition. An item on "Second review of the adequacy of Article 4, paragraph 2 (a) and (b) of the Convention" has been included, in accordance with a request by the COP at its fifth session to the Executive Secretary (FCCC/CP/1999/6, para. 18). A proposed amendment to the wording of the item is noted. This maintains the status quo as it emerged from COP 5.

C. Organizational matters

1. Overview of the sessional period

11. The following scenario aims at combining two organizational objectives:

- To elect the new President of the COP from the outset to enable him to exercise political leadership throughout the sessional period; and

- To allow the present subsidiary body chairmen to remain in office for the first week of the sessional period for the sake of continuity in completing the contribution of the subsidiary bodies to a successful outcome of COP 6.

12. The sessional period would be organized as follows:

(a) The sixth session of the Conference of the Parties would open formally on Monday, 13 November at 10 a.m. The opening meeting would go through item 1 of the provisional agenda (see annex) including the election of the President. The host Government may hold a welcoming event in conjunction with the opening of the Conference;

(b) Upon completion of item 1, the Conference would go into recess for the rest of the first week. It would neither adopt its agenda nor elect the other Bureau members on 13 November;

(c) The subsidiary bodies would be convened by their serving chairmen after the opening plenary and meet throughout the first week (in their resumed thirteenth sessions). They would attempt to finalize as many issues as possible before winding up at the close of business on Saturday, 18 November;

(d) The President of COP 6 would be able to hold bilateral and group consultations on key issues during that first week, including consultations on the adoption of the COP 6 agenda. He could also chair a "transitional Bureau" combining the ten members of the outgoing COP 5 Bureau and any new members that would be elected at COP 6 (if known);

(e) On Monday, 20 November, the Conference would resume its plenary meetings and would adopt its agenda, hear reports from the chairmen of the subsidiary bodies on the results of their work, organize its own work and elect the 10 other members of the COP 6 Bureau;

(f) Ministers and other senior officials would attend COP 6 during the second week, e.g. from late on Monday, 20 November until Thursday evening or Friday morning. They could deliver short national statements, participate in consultations and give guidance to negotiators;

(g) The second week could thus look as follows:

- Monday, 20 November would be notionally allocated to organizational matters, some other plenary business and consultations by the President.
- On Tuesday, 21 November the Conference could hear statements by intergovernmental and non-governmental organizations in the morning, and national statements from 3 p.m. to midnight (as was done at COP 5).
- Wednesday, 22 and Thursday, 23 November would be the main days - with the President in the lead but assisted as necessary by ministers (e.g. from Bureau countries). (Any all-night negotiation would be planned for the Thursday night. The process would be open and transparent.)
- Final decisions could be adopted by the COP on the afternoon of Friday, 24 November.

2. Rules of procedure

13. As the Conference of the Parties has not been able to adopt its rules of procedure, the draft rules of procedure as contained in document FCCC/CP/1996/2 will continue to be applied, with the exception of draft rule 42, until the rules of procedure are adopted by the Conference. The President of COP 5 indicated that he would undertake consultations on the matter and report back to the COP at its sixth session (FCCC/CP/1999/6, para. 15). The evolution of discussions on the procedures and mechanisms relating to compliance under the Kyoto Protocol may provide new impetus to finding a solution to the outstanding issues on the rules of procedure.

3. Participation

(a) Notification and attendance

14. Rule 5 of the draft rules of procedure being applied provides that "the secretariat shall notify all Parties of the dates and venue of a session at least two months before the session is held" (FCCC/CP/1996/2). Formal notification of the sixth session of the COP will be

communicated in due course to all Parties through their national focal points, diplomatic missions in Germany, permanent missions in Geneva and other diplomatic channels. The notification will advise that the representatives of Parties be provided by their Governments with full powers to participate in the session, including the possibility to vote and to serve as officers of the sixth session and of any sessional bodies, and as officers of the subsidiary bodies established by the Convention.

15. In accordance with Article 23 of the Convention, States that are not Parties and that wish to participate in COP 6 as Parties from the opening day (13 November 2000), should deposit their instruments of ratification or accession by 15 August 2000 at the latest. Such instruments should be received by that date by the Secretary-General of the United Nations as Depositary of the Convention.

(b) Financial support for participation

16. As at previous sessions of the COP, and depending on the availability of funding, the secretariat hopes to offer funding to:

(a) Two delegates from each Party that is a least developed country (LDC) or an eligible small island developing State (SIDS); and

(b) One delegate from each other Party that fulfils the eligibility criteria for funding. (Parties are eligible for funding if their GDP per capita for 1996 was US$6000 or less (based on UNCTAD figures) and, for those Parties that are not LDCs or SIDS, if they have paid their contributions to the UNFCCC core budget for the years up to and including 1999.)

In view of the importance of COP 6, it is proposed that funding of a second delegate to participate in this conference be extended to all eligible non-Annex I Parties, subject to the availability of funds.

17. At the time of writing, however, the level of the Trust Fund for Participation in the UNFCCC Process has been depleted to the point where funding of normal participation, let alone any expansion thereof, is at risk. No funds are available for the September sessions or for COP 6. It is to be hoped that contributions to the Trust Fund will be forthcoming in the next few months so that funding will be available for each eligible Party to attend COP 6.

IV. CALENDAR OF MEETINGS

18. At its fifth session, the Conference of the Parties adopted the following calendar of meetings of Convention bodies for the period 2000-2003 (FCCC/CP/1999/6/Add.1, section II.1):

2000

- First sessional period: from 12 to 16 June 2000, preceded by one week of informal meetings, including workshops;
- Second sessional period: from 11 to 15 September 2000, preceded by one week of informal meetings, including workshops;
- Third sessional period: from 13 to 24 November 2000;

2001

- First sessional period: from 21 May to 1 June 2001;
- Second sessional period: from 29 October to 9 November 2001;

2002

- First sessional period: from 3 to 14 June 2002;
- Second sessional period: from 28 October to 8 November 2002;

2003

- First sessional period: from 2 to 13 June 2003; and
- Second sessional period: from 1 to 12 December 2003.

19. In the light of the need to reserve commercial conference facilities in Bonn and to book United Nations conference services well in advance, as well as the usefulness to Parties and the secretariat of planning the calendar of meetings, the SBI may wish to consider the following dates proposed for the two sessional periods in 2004:

2004

- First sessional period: from 14 to 24 June 2004; and
- Second sessional period: from 22 November to 3 December 2004.

V. DATE AND VENUE OF THE SEVENTH SESSION OF THE CONFERENCE OF THE PARTIES

A. Date

20. Article 7, paragraph 4, of the Convention provides that ordinary sessions of the COP shall be held every year unless otherwise decided by the Conference of the Parties. Accordingly, COP 7 should take place in 2001 unless otherwise decided by the Parties. The calendar of meetings adopted at COP 5 includes a sessional period from 29 October to 9 November 2001 and implies that COP 7 would be convened during that period.

B. Venue

21. Rule 3 of the draft rules of procedure being applied states that "sessions of the Conference of the Parties shall take place at the seat of the secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the Parties" (FCCC/CP/1996/2).

22. Since the planning of sessions away from headquarters takes time for both the host Government and the secretariat, the SBI may wish to encourage any potential host Government for COP 7 to come forward with an offer that could be considered by the SBI at its thirteenth session and by COP 6. Such an offer would have to include an assurance that the host Government would cover the incremental costs of meeting away from Bonn.

23. The hosting of a session of the COP away from the secretariat's headquarters traditionally confers the presidency upon the host Government. In the context of the rotation of the presidency among the five regional groups, the first cycle was completed at COP 5, and a new cycle has begun with the hosting of COP 6 by the Netherlands (Western European and Others Group).

Annex

SIXTH SESSION OF THE CONFERENCE OF THE PARTIES: POSSIBLE ELEMENTS OF A PROVISIONAL AGENDA

1. Opening of the session:

   (a) Statement by the President of the Conference at its fifth session;
   (b) Election of the President of the Conference at its sixth session;
   (c) Statement by the President;
   (d) Addresses of welcome;
   (e) Statement by the Executive Secretary.

2. Organizational matters:

   (a) Status of ratification of the Convention and its Kyoto Protocol;
   (b) Adoption of the rules of procedure;
   (c) Adoption of the agenda;
   (d) Election of officers other than the President;
   (e) Admission of organizations as observers;
   (f) Organization of work, including the sessions of the subsidiary bodies;
   (g) Date and venue of the seventh session of the Conference of the Parties;
   (h) Calendar of meetings of Convention bodies;
   (i) Adoption of the report on credentials.

3. Reports of subsidiary bodies and decisions and conclusions arising therefrom:

   (a) Report of the Subsidiary Body for Scientific and Technological Advice;
   (b) Report of the Subsidiary Body for Implementation.

4. Review of the implementation of commitments and of other provisions of the Convention:

   (a) National communications from Parties included in Annex I to the Convention;
   (b) National communications from Parties not included in Annex I to the Convention;
   (c) Report of the Global Environment Facility to the Conference;
   (d) Capacity-building;
      (i) Capacity-building in developing countries (non-Annex I Parties);
      (ii) Capacity-building in countries with economies in transition;
   (e) Development and transfer of technologies (decisions 4/CP.4 and 9/CP.5);
   (f) Implementation of Article 4, paragraphs 8 and 9, of the Convention (decision 3/CP.3 and Article 2, paragraph 3, and Article 3, paragraph 14, of the Kyoto Protocol);

(g) Activities implemented jointly under the pilot phase (decisions 6/CP.4 and 13/CP.5);

(h) Other matters referred to the Conference of the Parties by the subsidiary bodies at their twelfth and thirteenth sessions.

5. Second review of the adequacy of Article 4, paragraph 2 (a) and (b), of the Convention.[1]

6. Proposals to amend the lists in Annexes I and II to the Convention:

(a) Review of information and possible decisions under Article 4, paragraph 2(f): proposals to remove Turkey from the lists in Annexes I and II;

(b) Amendment proposed by Kazakhstan: to add its name to the list in Annex I.

7. Preparations for the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (decision 8/CP.4):

(a) National systems, adjustments and guidelines under Articles 5, 7 and 8 of the Kyoto Protocol;

(b) Matters relating to land-use, land-use change and forestry;

(c) Work programme on mechanisms (decisions 7/CP.4 and 14/CP.5);

(d) Procedures and mechanisms relating to compliance under the Kyoto Protocol;

(e) "Best practices" in policies and measures;

(f) Matters relating to Article 3, paragraph 14 of the Kyoto Protocol;

(g) Impact of single projects on emissions in the commitment period (decision 16/CP.4);

(h) Other matters referred to the Conference of the Parties by the subsidiary bodies at their twelfth and thirteenth sessions.

8. Administrative and financial matters.

9. Statements:

(a) Statements by Parties;

(b) Statements by observer States;

(c) Statements by intergovernmental organizations;

(d) Statements by non-governmental organizations.

10. Any other matters.

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[1] At COP 5, it "proved impossible to reach any conclusions or decisions" on this matter (FCCC/CP/1999/6, para. 18). The Group of 77 and China proposed to amend the item as follows "Review of adequacy of implementation of Article 4, paragraphs 2 (a) and (b) of the Convention" (FCCC/CP/1999/6, para. 17).

11. Conclusion of the session

(a) Adoption of the report of the Conference of the Parties on its sixth session;
(b) Closure of the session.

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